

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

CAROLINE PURVIS,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 3:10-cv-00520
	§	
TEXAS A&M UNIVERSITY,	§	
Defendant.	§	

DEFENDANT’S DESIGNATION OF NONRETAINED EXPERTS

Pursuant to Federal Rule of Civil Procedure 26(2)(C) and the February 28, 2013 Docket Control Order, Defendant Texas A&M University (“TAMU”) its designation of nonretained expert witnesses.

The following persons are those who are not required to provide a written report:

1. Captain Augusta Roth
Texas A&M University Galveston
P. O. Box 1675
Galveston, TX 77553
(409) 740-4471

Captain Roth is expected to give testimony regarding the requirements for admission into the merchant marine licensing program at Texas A&M Galveston; merchant mariner requirements regarding health and fitness; and policies and procedures for evaluating health and fitness of applicants and students of the program. Based upon her personal knowledge of Plaintiff and her knowledge, skill, training and experience in the maritime industry and academia, Captain Roth is expected to testify that Plaintiff presented evidence to Texas A&M Galveston that raised questions about Plaintiff’s health and fitness for the program; and, that questions about Plaintiff’s health and fitness were appropriately addressed by Texas A&M Galveston.

2. Captain James Cleary
Texas A&M University Galveston
P. O. Box 1675
Galveston, TX 77553
(409) 740-4031

Captain Cleary is expected to give testimony regarding the requirements for admission into the merchant marine licensing program at Texas A&M Galveston; merchant mariner requirements regarding health and fitness; and policies and procedures for evaluating health and fitness of applicants and students of the program. Based upon his knowledge, skill, training, and experience, Captain Cleary is expected to testify that Plaintiff presented evidence to Texas A&M Galveston that raised questions about Plaintiff's health and fitness for the program; and, that questions about Plaintiff's health and fitness were appropriately addressed by Texas A&M Galveston.

3. Dr. Robert Sindylek
Texas A&M University Galveston
P. O. Box 1675
Galveston, TX 77553
(409) 740-4771

Dr. Sindylek is expected to give testimony as a licensed professional counselor and career counselor regarding mental, emotional, and behavioral health, disorders, methods for assessment and methods for treatment; career and educational counseling and assessment. Dr. Sindylek is expected to testify based upon his personal knowledge of Plaintiff, his knowledge, skill, training and experience as a professional counselor and administrator that Plaintiff demonstrated signs and symptoms regarding general medical health and mental, emotional and behavioral health that raised questions about her fitness for the merchant marine licensing program at Texas A&M Galveston.

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

DANIEL T. HODGE
First Assistant Attorney General

DAVID C. MATTA
Deputy Attorney General for Defense Litigation

JAMES "BEAU" ECCLES
Division Chief - General Litigation

/s/ David G. Halpern
DAVID G. HALPERN
Texas Bar No. 00790812
Southern District I.D. No. 18301
Attorney-in-Charge
Assistant Attorney General

General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
(512) 463-2120
(512) 320-0667 FAX

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served via the Court's ECF electronic filing notification system on the 17th day of May, 2013, to the following:

John Judge
JUDGE, KOSTURA, & PUTNAM, P.C.
2901 Bee Cave Road, Suite L
Austin, TX 78746

Martin J. Cirkiel
CIRKIEL & ASSOCIATES, P.C.
1901 E. Palm Valley Blvd.
Round Rock, TX 78664

/s/ David G. Halpern
DAVID G. HALPERN
Assistant Attorney General